REMARKS

Claims 1, 3-22, 25-30, 32-51, and 55-60 are pending and under consideration in the above-identified application. Claims 2, 23, 24, 31, and 52-54 were cancelled previously and remain cancelled.

In the Office Action of August 4, 2009, claims 1, 3-22, 25-30, 32-51, and 55-60 were rejected.

With this Amendment no claims are amended.

I. 35 U.S.C. § 103 Obviousness Rejection of Claims

Claims 1, 3-15, 18-19, 22, 25-44, 47-48, 51, and 55-60 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Nafeh* (U.S. Patent No. 5,343,251) in view of *Shikunami* (U.S. Patent No. 6,718,121) in view of *Goldschmidt* (U.S. Patent No. 6,226,444) in further view of *Dimitova et al.* (U.S. Pat. No. 6,100,941).

Claims 16, 20, 21, 45, 49 and 50 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Nafeh* in view of *Shikunami* in further view of *Goldschmidt* in view of *Hook* (U.S. Pat. No. 6,100,941) in further view of *Shah-Nazaroff et al.* (U.S. Patent No. 6,671,88).

Claims 17 and 46 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Nafeh* (U.S. Patent No. 5,343,251) in view of *Shikunami* (U.S. Patent No. 6,718,121) in view of *Shah-Nazaroff et al.* (U.S. Patent No. 6,671,88) in view of *Dimitova* in further view of *Kawara et al.* (U.S. Patent No. 6,278,836).

Applicants respectfully traverse these rejections.

In relevant part, each of the independent claims 1 and 30 now recites a signal-processing apparatus which determines whether a candidate part of a signal is a commercial message by first

applying a minimum-length priority rule then applying an adjacent-candidate priority rule based on the result of the minimum-length priority rule and then applying a score priority rule based on the result of the adjacent-candidate priority rule.

The Examiner correctly asserts that *Nafeh* fails to disclose or even fairly suggest a signal-processing apparatus which determines whether a candidate part of a signal is a commercial message by first applying a minimum-length priority rule then applying an adjacent-candidate priority rule based on the result of the minimum-length priority rule and then applying a score priority rule based on the result of the adjacent-candidate priority rule. See, Office Action of August 4, 2009 at Page 4.

Shikunami, Goldschmidt and *Dimitova* also fail to disclose or even fairly suggest anything pertaining to a signal-processing apparatus which determines whether a candidate part of a signal is a commercial message by first applying a minimum-length priority rule then applying an adjacent-candidate priority rule based on the result of the minimum-length priority rule and then applying a score priority rule based on the result of the adjacent-candidate priority rule. Instead, *Shikunami* discloses comparing the length of a commercial message candidate, the time of day the commercial message candidate was broadcast and the aspect ratio of the commercial message with a database of known commercial messages to determine if the commercial message candidate is a commercial message. U.S. Patent No. 6,718,121, Col. 9, l 1-54. *Goldschmidt* discloses determining whether a signal is a commercial or program based on information sent from a vertical blanking analyzer, a volume analyzer, and a background analyzer, which each individually analyze a different characteristic of the signal and send the results of each analysis to a data manager. See, U.S. Pat. No. U.S. Patent No. 6,226,444, Col. 6,

l. 18-67. *Dimitova* discloses independently analyzing macroblocks of current and previous video frames for individual characteristics. See, U.S. Pat. No. 6,100,941, Col. 10, l. 60-Col. 11, l. 56.

These disclosures cannot be fairly viewed as applying a minimum-length priority rule followed by an adjacent-candidate rule followed by a score priority rule because they all disclose individually analyzing different characteristics of the signal independent of the other characteristics to determine if the signal is a potential commercial message.

Shah-Nazaroff and *Kawara* also fail to disclose anything pertaining to a signal-processing apparatus which determines whether a candidate part of a signal is a commercial message by first applying a minimum-length priority rule then applying an adjacent-candidate priority rule based on the result of the minimum-length priority rule and then applying a score priority rule based on the result of the adjacent-candidate priority rule. *Shah-Nazaroff* discloses using "special circuitry" which identifies a "special signal" identifying which portions of an input stream are commercial messages. See, U.S. Patent No. 6,671,88, Col. 3, l. 62 - Col. 4, l, 12. *Kawara* is directed at decoding encrypted video and audio streams to prevent copying of the video and audio streams. See, U.S. Patent No. 6,278,836, Col 10, l. 36-48.

As the Applicant's specification discloses, by providing a signal-processing apparatus which determines whether a candidate part of a signal is a commercial message by first applying a minimum-length priority rule then applying an adjacent-candidate priority rule based on the result of the minimum-length priority rule and then applying a score priority rule based on the result of the adjacent-candidate priority rule, commercial messages are detected with greater accuracy. See, 2002/0021759, Para. [0263].

Therefore, because *Nafeh, Shikunami, Dimitova, Goldschmidt, Shah-Nazaroff, Kawara* or any combination of them fails to disclose or even fairly suggest all the features of claims 1 and 30, the rejection of claims 1 and 30 cannot stand. Because claims 13-22, 25-29, 32-51, and 55-60 depend, either directly or indirectly, from claims 1 and 30, they are allowable for at least the same reasons.

II. Conclusion

In view of the above amendments and remarks, Applicants submit that all claims are clearly allowable over the cited prior art, and respectfully request early and favorable notification to that effect.

Respectfully submitted,

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